

CALLAHAN & FUSCO, LLC
JUSTIN D. BERARDO
103 Eisenhower Parkway, Suite 400
Roseland, NJ 07068
Telephone: (973) 618-9770
Facsimile: (973) 618-9772
jberardo@callahanfusco.com

Attorneys for Plaintiff

[Additional Counsel on Signature Page]

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

LAWRENCE BREITMAN,)	Case No. 2:14-cv-02521-SRC-CLW
Derivatively on Behalf of)	
IMMUNOMEDICS, INC.,)	STIPULATION AND [PROPOSED]
)	CONSENT ORDER TO DISMISS
Plaintiff,)	ACTION WITHOUT PREJUDICE
v.)	
)	
CYNTHIA L. SULLIVAN, DAVID)	
M. GOLDENBERG, MARY E.)	
PAETZOLD, DON C. STARK,)	
BRIAN A. MARKISON, GERARD)	
G. GORMAN, MORTON)	
COLEMAN, and MARCELLA)	
LOCASTRO,)	
)	
Defendants,)	
-and-)	
)	
IMMUNOMEDICS, INC., a)	
Delaware corporation,)	
)	
Nominal Defendant.)	

Plaintiff Lawrence Breitman ("Plaintiff"), individual defendants Cynthia L. Sullivan, David M. Goldenberg, Mary E. Paetzold, Don C. Stark, Brian A. Markison, Gerard G. Gorman, Morton Coleman, and Marcella LoCastro (collectively, the "Individual Defendants"), and nominal defendant Immunomedics, Inc. ("Immunomedics"), through their respective counsel, hereby stipulate as follows:

WHEREAS, pursuant to Rules 23.1(c) and 41(a) of the Federal Rules of Civil Procedure, Plaintiff, the Individual Defendants, and Immunomedics (collectively, the "Parties") hereby jointly agree that the above-captioned action (the "Action") shall be dismissed without prejudice;

WHEREAS the Parties agree that the dismissal is not, and shall not be deemed to be, an adjudication of the Action on the merits, and that the Parties shall bear their own fees and costs incurred in connection with the Action; and

WHEREAS the Parties believe that no shareholder notice of this dismissal is necessary because (i) the dismissal is without prejudice, (ii) there has been no settlement or compromise of the action; (iii) there has been no collusion among the Parties; and (iv) neither Plaintiff nor his counsel has received, or will receive directly or indirectly, any consideration from the Individual Defendants and/or Immunomedics for the dismissal.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by
and among the respective Parties hereto, that:

1. The above-captioned Action shall be dismissed without prejudice,
subject to approval of the Court; and

2. The Parties shall bear their own fees and costs in connection with the
Action.

Dated: August 28, 2015

CALLAHAN & FUSCO, LLC
JUSTIN D. BERARDO

s/ Justin D. Berardo

JUSTIN D. BERARDO

103 Eisenhower Parkway, Suite 400
Roseland, NJ 07068
Telephone: (973) 618-9770
Facsimile: (973) 618-9772
jberardo@callahanfusco.com

Of Counsel:

Attorneys for Plaintiff

ROBBINS ARROYO LLP
BRIAN J. ROBBINS
CRAIG W. SMITH
SHANE P. SANDERS
600 B Street, Suite 1900
San Diego, CA 92101
Telephone: (619) 525-3990
Facsimile: (619) 525-3991
brobbins@robbinsarroyo.com
csmith@robbinsarroyo.com
ssanders@robbinsarroyo.com

Dated: August 28, 2015

DLA PIPER, LLP
B. JOHN PENDLETON, JR.
STEVEN ROBERT MARINO

s/ Steven Robert Marino

STEVEN ROBERT MARINO

51 John F. Kennedy Parkway
Suite 120
Short Hills, NJ 07078
Telephone: (973) 520-2550
Facsimile: (973) 520-2551
john.pendleton@dlapiper.com
steven.marino@dlapiper.com

Attorneys for Defendants

* * *

CONSENT ORDER

IT IS SO ORDERED THIS _____ day of _____ 2015.

THE HONORABLE CATHY L. WALDER
UNITED STATES MAGISTRATE JUDGE

